

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT LAUCELLA,)	
)	
Petitioner,)	No. C 08-0031 CRB (PR)
)	
vs.)	ORDER OF TRANSFER
)	
D. K. SISTO, Warden,)	
)	
Respondent.)	

Petitioner seeks federal habeas review of the execution of a sentence imposed by the Superior Court of the State of California in and for the County of Santa Clara, which lies in this judicial district. See 28 U.S.C. § 84(a). Petitioner is incarcerated at California State Prison, Solano in Vacaville, County of Solano, which lies in the Eastern District of California. See id. § 84(b).

Venue is proper in a habeas action in either the district of conviction or the district of confinement, id. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. See Habeas L.R. 2254-3(a); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989); cf. Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968) (district of conviction preferable forum to review conviction).

1 Because the County of Solano lies in the Eastern District of California, the court
2 orders that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the
3 interest of justice, this petition be transferred to the United States District Court for the
4 Eastern District of California.

5 The clerk shall transfer this matter and terminate all pending motions as moot.

6 SO ORDERED.

7 DATED: Jan. 09, 2008

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CHARLES R. BREYER
United States District Judge